

**FISHMAN MCINTYRE  
BERKELEY LEVINE SAMANSKY P.C.**

STANLEY P. FISHMAN\*  
CHRISTOPHER E. MCINTYRE > +  
LAWRENCE M. BERKELEY ^ +  
MITCHELL B. LEVINE\*  
SCOTT D. SAMANSKY\*\*  
DONALD M. GARSON >  
Cassandra A. WILLOCK\*  
SCOTT A. GROSSMAN \*  
PHILIP H. ZIEGLER\*  
ANDREW L. STERN >  
PETER J. MURANO, III\*

ANN MARIE F. KANE\*  
MARK N. KEDDIS\*  
JASON J. MASTRANGELO^

NEW YORK OFFICE  
521 FIFTH AVENUE, 17<sup>th</sup> Fl.  
New York, NY 10175  
Tel (212) 461-7190  
Fax (973) 560-0060

120 EAGLE ROCK AVENUE  
EAST HANOVER, NJ 07936  
Telephone (973) 560-9000  
Fax (973) 560-0060

> NJ BAR  
< NY BAR  
^ NJ, NY & CT BARS  
\*\*NJ & DC BARS  
\* NJ & NY BARS  
^ NJ & PA BARS

August 7, 2020

+ Certified by the Supreme Court  
of NJ as a Civil Trial Attorney

[www.fishmanmcintyre.com](http://www.fishmanmcintyre.com)

***Via ECF***

Magistrate Judge James Orenstein  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Halbert v Target Corporation  
EDNY Case No.: 1:20-cv-01564  
Our File No. : TARN-163**

Dear Magistrate Orenstein:

Please be advised this firm represents the defendant, Target Corporation in connection with the above. A telephonic status conference is scheduled before Your Honor on Monday, August 10, 2020 at 10:00 a.m. **Please accept this letter as the parties joint status report.**

Plaintiff underwent back surgery in June of this year and has returned to her native County of Georgia to recuperate. This has necessarily delayed the undertaking of plaintiff's deposition. The parties were unaware of such surgery at the time of the initial conference. In fact, based on the foregoing, parties do not believe they will be able to complete fact discovery by the existing deadline of September 21, 2020. It is the parties intention to undertake the plaintiff's deposition before the end of September however, but of course, that does not leave time for additional discovery including depositions of the defendant and depositions of any witnesses identified by plaintiff at her deposition. Accordingly, the parties will be seeking an extension of the fact discovery deadline.

As of this time, defendant is awaiting plaintiff's certified answers to interrogatories.

Defendant has had difficulty securing plaintiff's medical records. While plaintiff timely provided authorizations, due in large part to medical providers which are either still not providing services in light of the pandemic, or have decided to make the production of medical records not a priority, defendants are awaiting

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medical records from three separate medical providers, as well as plaintiff's employment records. Plaintiff's counsel has attempted to cooperate in this regard. Our office has followed up on multiple occasions in order to obtain same, and have hired a records retrieval service to aid in this regard. Certainly, defendant would like all medical records in its possession prior to the deposition of the plaintiff.

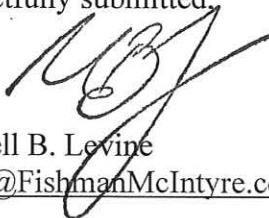
No expert disclosures have been made to date.

Based on the foregoing, the parties respectfully request an extension of fact discovery, as well as adjusted dates for expert disclosures and discovery (proposed deadline is October 21) as well as an adjournment of the balance of the dates set forth in the original Case Management Scheduling Order, particularly the date for the pretrial conference, dispositive motion deadline and joint pretrial order (presently scheduled for November 2, November 16, December 21, 2020, respectively).

Your Honor should be aware that the parties have engaged in settlement negotiations, and were contemplating mediation, but due to plaintiff's extensive injuries, and frankly, injuries which are more extensive than originally anticipated by the defendant, the parties do not believe that settlement negotiations can meaningfully take place until the close of all discovery.

We look forward to speaking to Your Honor at Monday's conference.

Respectfully submitted,



Mitchell B. Levine  
Mitch@FishmanMcIntyre.com

MBL:bas

cc: George Batchvarov, Esq. – Via email [gb@khavinson.com](mailto:gb@khavinson.com)  
Joshua Stern, Esq. – Via email [js@khavinson.com](mailto:js@khavinson.com)